

FLSA-924

August 21, 1977

This is in reply to your letter dated August 3, 1977, asking about vacation pay and holiday premium pay.

We have considered your comments under the Fair Labor Standards Act which is the Federal law of most general application concerning wages and hours of work. The application of this law to hospital employees is explained in the enclosed copy of WH Publication 1326.

While this law provides for many beneficial labor standards it does not require an employer, as explained in the note on the inside cover page, that an employer grant vacation, holiday, sick, or severance pay to the employees. Also this law does not require a premium rate for work performed on a holiday or on weekends, as such. Such matters are left for consideration by the employer and the employees or their authorized representatives. The law does, however, require overtime compensation be paid for hours worked in excess of the applicable maximum hours standard. Finally, the Department of Labor does not have the authority to interpret company policy guidelines; such matters are also left for the parties.

We regret that we are unable to be of assistance to you in this matter.

Sincerely,

Paul G. Campbell, Chief
Branch of Wage & Hour Standards

Enclosure